

State of Maine.

THE Committee *on the Judiciary*  
to which was referred *Resolves relating to the*  
*communication from the General Assembly of*  
*Alabama concerning the matter between*  
*Georgia and Maine*

have had the same under consideration, and ask leave to  
Report, that legislation on *that* subject is inexpedient.

*Philip Eastman*

Chairman.

IN SENATE, Jan 22

1842

Read and accepted.

Sent down for concurrence.

*Sam Haskell*

Secretary.

IN HOUSE OF REPRESENTATIVES,

*Jan 24* 1842

Read and concurred.

*W. T. Johnson*

Clerk.



Clerk.

Read and concurred.

IN HOUSE OF REPRESENTATIVES

Dec 18 1845

Secretary.

Sent down for concurrence.

Read and accepted.

IN SENATE, Dec 22

1845

Chairman.

In A.  
Report of Committee on the  
Judiciary on Resolves relating  
to the matter between Georgia and  
Maine

that legislation on this subject is inexpedient.

cc  
all

State of Maine.



Executive Department  
Savannah Jan'y 16<sup>th</sup> 1841

Sir,

I transmit herewith a Report and Joint Resolutions of the General Assembly of Alabama, responsive to certain Resolutions of the Legislature of South Carolina in relation to the Georgia and Maine Controversy, with a request that you will lay the same before the Legislature of the State over which you preside.

With perfect respect  
I am Sir, yr obt. Serv.

A. V. Bagby

His Excellency  
The Governor  
of Maine



The Committee on Federal relations,

To whom was referred certain Joint Resolutions of the Legislature of South Carolina, in relation to Georgia and Maine Controversy, have had the same under consideration, and beg leave to Report; That after a careful examination of the facts and circumstances set forth in the preamble to the said Resolutions connected with felonious stealing and carrying away, the slave Ottobah by Daniel Philbrook and Edward Kilbrorn from the State of Georgia, and transporting him to the State of Maine, and the refusal of the Executive of the State of Maine, to surrender said Philbrook & and Kilbrorn as fugitives from justice upon demand made by the Governor of Georgia, pursuant to the provisions of the Federal Constitution, they have come to the conclusion, that the demand made was legal & proper, that the right was clear under the Constitution, & that the refusal to surrender was inconsistent with the Constitutional obligations of a State; They therefore con-  
-cur in the following Resolutions of said State, and recommend their adoption by the General Assembly

Re. 1<sup>st</sup> of this State. Resolved 1<sup>st</sup> That it is the duty as well as the right, of any State; to insist on the faithful observance of the Federal Constitution, by each State in the Union.

Re. 2<sup>d</sup>. That to define crimes and felonies within its jurisdiction, is an incident to the sovereignty of each State, and that no other State can question the exercise of that right.

Re. 3<sup>d</sup>. That to demand the surrender and removal of fugitives from justice is by the Constitution a right, and the arrest and surrender a duty; the denial or impairment of this right is inconsistent with the Constitutional obligations of a State, and subversive of the peace and good Government of the other States. Resolved 4<sup>th</sup> That the right has been impaired if not denied by the authorities of the State of Maine, and that this State, will never consent, that any State shall become an asylum for those who are fugitives from the Justice of other States. Resolved 5<sup>th</sup>. That this State will make common cause with any State of this Confederacy in maintaining its just rights under the guaranty of the Constitution of the United States; and should the obligation



R. A. Baker Speaker of the House  
of Representatives



To the Senate and House of Representatives.

In compliance with their request,  
I lay before you a Report and Resolutions of  
the General Assembly of the State of Alabama,  
relative to the "Georgia and Maine controversy."

Council Chamber }  
February 12. 1841 }

Edward Kent.

House of Representatives

Feb 13. 1841

Read & ref<sup>d</sup> with the enclosed Resolutions to the Committee  
on the Judiciary Sent up for concurrence  
Geo. C. Getcham Clerk

In Senate Feb 15. 1841

Read & ref<sup>d</sup> in concurrence

Elijah Robinson Secy pro tem.  
E.R.



25<sup>n</sup>  
Message from the Governor  
transmitting Resolutions of the  
General Assembly of Alabama  
relative to the Georgia &  
Maine Controversy



21  
Resolue relating to the ~~matter of~~  
the Communication from the General  
Assembly of Alabama concerning  
the ~~Case in~~ <sup>matter</sup> question between Georgia  
and Maine.

Resolved, that in the opinion of this  
Legislature, the Subject matter of said  
Communication and Resolves, coming  
from the General Assembly of Alabama,  
concerning the question existing be-  
tween Maine and Georgia, so far  
as this State is concerned, belongs  
appropriately and exclusively to the  
Executive Department, and that the  
Legislature is not called upon to ex-  
press any further views in relation thereto.

Resolved, that Copies of this Resolue  
together with the preceding report be ~~trans-~~  
mitted by the Governor to the Governors of  
Alabama and Georgia.



In Senate April 16 1841-

These Resolves were twice read  
(The rules being suspended) & passed  
to be engrossed - Sent down for  
enactment - Donec Sanctum Leg

House of Representatives April 16 1841

These Resolves having had two several  
readings the House nonconcur with  
the Senate and refer the same to  
the next Legislature. Sent up for concurrence

George C. Getchell. Clerk

In Senate April 17 1841

The Senate recede from their vote of  
the 16<sup>th</sup> inst & concur the House in  
its Preference to next Legislature

Leg

Resolved relating to  
the communication from  
the Hon<sup>ble</sup> C. S. P. of Alabama  
the matter between Georgia  
& Mexico